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10 Attorneys for City of San José

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13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION

16 EDEN ENVIRONMENTAL CITIZEN'S
17 GROUP, LLC, a California limited liability
18 company,

19 Plaintiff,

20 v.

21 AMERICAN CUSTOM MARBLE, INC., a
22 California corporation; PATRICIA A.
23 SHARP, an individual; CITY OF SAN
24 JOSE, a California municipality; and
25 DOES 1-10, inclusive,

Defendants.

Case Number: 4:19-cv-03424-EMC

**STIPULATION TO SET ASIDE
DEFAULT AND FOR LEAVE TO
ANSWER COMPLAINT**

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21 **IT IS HEREBY STIPULATED BY AND BETWEEN PARTIES TO THIS MATTER,
BY AND THROUGH THEIR ATTORNEYS,**

22 1. That the Request For Default filed on October 11, 2019, by Plaintiff Eden
23 Environmental Citizen's Group, LLC, against Defendant City of San José and entered by
24 this Court on October 11, 2019 shall be set aside and that Defendant City of San José
25 shall be given leave to file its Answer to the Complaint by November 5, 2019;

26 2. This Stipulation may be signed in counterparts and may be transmitted via
27 facsimile, between the parties, and such electronically-submitted signatures shall be
28 treated as originals.

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2 Dated: October 22, 2019

LAW OFFICE OF HANS W. HERB

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4 By: /s/ HANS W. HERB
HANS W. HERB

5 Attorneys for Plaintiffs

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8 Dated: October 22, 2019

RICHARD DOYLE, City Attorney

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10 By: /s/ NORA FRIMANN
NORA FRIMANN,
Assistant City Attorney

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12 Attorneys for CITY OF SAN JOSE

13 I attest that Plaintiff's counsel has read and approved this document and given consent
14 to the filing of the same with the Court.

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17 Dated: October 23, 2019

RICHARD DOYLE, City Attorney

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19 By: /s/ NORA FRIMANN
NORA FRIMANN
Assistant City Attorney

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22 IT IS SO ORDERED.

23 Dated: October 24, 2019



24 HONORABLE JUDGE EDWARD M. CHEN